



*City of*  
Durham

## **MINUTES**

for the Month of

**December, 2007**



## City of Durham

At a Meeting of the **CABINET** held in the Gala Theatre, Durham, on Monday, 3<sup>rd</sup> December, 2007, at 2.00 p.m.

**Present:** Councillor Reynolds (in the Chair)  
and Councillors Bell, Dickie, Jackson, Rae, Southwell, Thomson and Woods.

**Also Present:** Councillors Bartle, Carr, Kellett, Marsden, Mitchell, Robinson, M.J.A. Smith, Turnbull and Wilkinson.

### **391. DECLARATIONS OF INTEREST**

There were no Declarations of Interest submitted.

### **392. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Pitts and van Zwanenberg.

### **393. MINUTES**

The Minutes of the Meeting held on 28<sup>th</sup> November, 2007, were confirmed as a correct record and signed by the Chair.

### **Portfolio Member Recommendations or Items Requiring a Cabinet Decision**

### **394. "THE JOURNEY" FUNDING AND PUBLIC ART POLICY, DELIVERY AND FUTURE FUNDING**

The Portfolio Holder for Leisure and Culture and Head of Cultural Services submitted a comprehensive report seeking approval to pledge financial support to "The Journey" and to note the work being undertaken to support other Public Art initiatives within the District under the Percentage for Art Supplementary Planning Guidance and the Council's partnership with Durham City Arts.

**Resolved:** (i) That £50,000 be pledged to "The Journey" Charitable Trust to enable the provision of a new bronze statue based on the existing timber piece created by Fenwick Lawson.

(ii) That the Council procure and commission the bronze on behalf of "The Journey" Charity once sufficient funds have been raised.

(iii) That the Council take reasonable maintenance responsibility for the piece once sited on Council property.

(vi) That the Head of Cultural Services bring forward a report detailing the Public Art Action Plan which will be used to implement the outcomes of the Percentage for Art Policy in due course.

**Note:** *Councillor Carr entered the Meeting at 2.05 p.m.*

### **Reports for Information**

### **395. TEMPORARY ICE RINK, MILLENNIUM PLACE**

The Head of Cultural Services submitted a report to provide an update on the free temporary public ice rink in Millennium Place in January and February, 2008.

**Resolved:** That the report be noted.

**396. IN PRIVATE**

**Portfolio Member Recommendations or Items Requiring a Cabinet Decision**

**397. KERBSIDE RECYCLING CONTRACT**

The Portfolio Holder for Environment and Head of Environment and Leisure Services submitted a comprehensive report seeking approval to award the contract for the delivery of a service for the kerbside collection of materials for recycling within City of Durham District.

**Resolved:** (i) That the requirement of Contract and Procurement Rule 3 for this procurement, pursuant to Contract Procurement Rule 8, be waived.

(ii) That approval be given to award the contract to Greencycle as the preferred supplier at the variant bid price of £54.57 per tonne.

(iii) That the contract period of 2 years with an option for an additional 2 years be approved.

(iv) That approval be given to expand the kerbside collection service to incorporate plastics and cardboard.

(iv) That approval be given to purchase 40,000 reusable bags/sacks at approximately £2.50 per unit.

The Meeting terminated at 2.15 p.m.

Chair

## City of Durham

At a Meeting of **SCRUTINY COMMITTEE** held in the Studio, Gala Theatre, on Thursday, 6<sup>th</sup> December, 2007 at 5.30 p.m.

**Present:** Councillor Howarth (in the Chair)  
and Councillors Colledge, Freeman, Mitchell, Simpson and Wolstenholme.

**Also Present:** Councillor Kellett

### **398. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Hopgood, McDonnell, Moderate, Robinson and Walton.

### **399. MINUTES**

Minutes of the Meeting of 25<sup>th</sup> October, 2007, were confirmed as a correct record subject to the inclusion of Councillor Freeman being added to the list of Councillors present.

### **400. CHAIRMAN'S REMARKS**

The Chair informed Members that Members who queried Portfolio Holder Decisions at the meeting held on 25<sup>th</sup> October had received a reply

The Chair informed Members that a meeting of County Durham Overview and Scrutiny Member Network was due to take place on Friday, 7<sup>th</sup> December, 2007, looking at public transport.

Also, the Chair informed Members that a meeting of the Scrutiny on Childrens' Trust looking specifically at those children/young adults not in education or training (NEETS) would be taking place. It is hoped that reports from both joint scrutiny projects would be brought to this Committee in due course.

### **401. SCRUTINY PANEL REPORTS**

#### **(a) Policy Scrutiny Panel – Scrutiny of Members' Online**

Members suggested that an additional recommendation should be included in the report stating that all Members receive a copy of an agenda for every meeting of the Council.

**Resolved:** That subject to the Panel's approval, this recommendation should be included.

#### **(b) Environment Scrutiny Panel – Review of Scrutiny of Recycling, Fly-Tipping & Litterpickers**

**Resolved:** That the report be sent to Cabinet for consideration.

### **402. CABINET DECISIONS**

- 12 November, 2007
- 19 November, 2007
- 28 November, 2007

With regard to the Cabinet meeting held on 28<sup>th</sup> November, 2007, Members raised the Cabinet decision to end door to door rent collection. Members requested that the issue be addressed of additional community support being put in place to minimise the community impact/social welfare aspect of the ending of door to door rent collection. Members further requested that the Portfolio Holder report to the Committee the impact of this aspect of the report after three months.

#### **403. VERBAL REPORTS OF PANEL CHAIRS**

An update was given by each Panel Chair on the progress of their Panel business.

#### **404. FORWARD PLAN**

Members suggested that the Kerbside Recycling Contract be scrutinised 6 months after commencement.

Members asked that the Head of Legal & Strategic Services be invited to give a presentation to the Scrutiny Committee on the new Licensing Policy to highlight differences with the previous Policy and why changes were made.

#### **405. DECISIONS TAKEN BY PORTFOLIO HOLDERS SINCE LAST MEETING**

In relation to decision number 4, Members requested details relating to time/costs of the respective leases of Mandale Park, Saddler Street and High Street. It was agreed that a written response be requested from the Portfolio Holder.

#### **406. ANY OTHER BUSINESS**

The Chair and Members of the Committee agreed that a letter be sent to the Leader of the Council asking that Members be issued with a list of correct and updated staff contact details.

The Meeting terminated at 6.15 p.m.

Chair

## City of Durham

At a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Gala Theatre, Durham, on Thursday, 13<sup>th</sup> December, 2007, at 5.30 p.m.

**Present:** Councillor Norman (in the Chair)  
and Councillors Bell, Cowper, Crooks, Freeman, Guy, Holland, Howarth, Kinghorn, Laverick, Lodge, Marsden, Simmons, Southwell, Stoddart, Taylor, Wolstenholme and Young.

**Also Present:** Councillors Jackson, Kellett and Turnbull.

### 407. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Plews, Rae and Walker.

### 408. MINUTES

The Minutes of the Meeting held on 22<sup>nd</sup> November, 2007, were confirmed as a correct record and signed by the Chair.

#### Report of Director of Strategic Services

**The Chair had agreed to accept as a matter of urgency, and due to the time factor involved, the Supplementary Report of the Director of Strategic Services in relation to the proposed Stopping Up of a footpath at Finchale View, West Rainton.**

**Note:** Councillors Bell and Southwell declared a personal interest in the undermentioned item and remained in the Meeting during consideration thereof.

### 409. PROPOSED STOPPING UP OF FOOTPATH AT FINCHALE VIEW, WEST RAINTON

The Development Control had previously granted consent for the erection of 56 dwellings on the Durham Villages Regeneration disposal site at Finchale View, West Rainton.

It was necessary for the Developer, Haslam Homes, to take steps to formally extinguish all highway rights affecting the development site and during the course of that procedure, it had transpired that part of Footpath 18 traversed the development site and required Stopping Up to enable the development to be carried out.

The City Council was the relevant Order Making Authority for the purpose of Stopping Up public footpaths under Section 257 of the Town & Country Planning Act 1990 for the purpose of enabling development to be carried out in accordance with planning permissions granted by the Council. The Developer had therefore made application to the City Council to Stop Up the relevant part of Footpath 18.

The Highway Authority had indicated that in addition to the Stopping Up of Footpath 18, it would be necessary for the Developer to provide an alternative footpath to link to new footpaths to be constructed within the development site, and accordingly, provision would be made for this within any Order made by City of Durham Council.

**Resolved:** That an appropriate Order be made under Section 257 of the Town & Country Planning Act 1990 to Stop Up that part of Footpath 18, West Rainton, for the purposes of enabling development to be carried out in accordance with planning permission ref: 07/00360/FPA, as previously approved by the City Council.

#### 410. REPORT FOR INFORMATION

The Director of Strategic Services submitted a report for information in relation to the cash received by the City Council from developers as part of planning conditions for the period 1<sup>st</sup> April, 2007, to 30<sup>th</sup> September, 2007, a copy of which had been placed in the Members' Room.

**Resolved:** That the report be noted.

#### Report of Head of Planning Services

#### 411. REPORTS FOR INFORMATION

**Note:** Councillors Bell, Cowper and Stoddart declared a personal interest in Item (d), Application 07/02742/OTHC and remained in the Meeting during consideration thereof.

Reports in relation to the following items had been circulated:-

- (a) Notice of Planning/Enforcement Appeals which had been lodged with the City Council:
  - (i) Appeal by A Hill – Site at Periwinkle Barn, Low Raisby Farm, Kelloe, Durham, DH6 4PW
  - (ii) Appeal by I Foster – Site at land east of Paradise Cottage, Shadforth, Durham, DH6 1NJ
  - (iii) Appeal by SG Petch – Site at vacant land, New Ferens Park, Broomside Park, Belmont, Durham
- (b) Notice of the Outcome of Planning/Enforcement Appeals which had been lodged with the City Council:
  - (i) Appeal by P Tognarelli – Site at The Old Cottage, Whitesmocks, Durham, DH1 4LL
  - (ii) Appeal by P Stott – Site at land at Old Cassop Farm, Old Cassop, Durham
  - (iii) Appeal by S Hoole – Site at 24 Brookside, Witton Gilbert, Durham, DH7 6RS
  - (iv) Appeal by S Hoole – Site at 24 Brookside, Witton Gilbert, Durham, DH7 6RS
- (c) Applications – Determined under Plenary Powers
- (d) Building Control Applications

**Resolved:** That the reports be noted.

#### 412. RECOMMENDATIONS ON OTHER APPLICATIONS

The Head of Planning Services presented reports on the following application and the following decision were made:-

**07/00875/FPA  
Cussins Ltd**

**Brandon and District Social Club and Institute,  
Commercial Street, Brandon, Durham  
Erection of 21 dwellings, public and private open  
space, vehicular highways and parking**

**Resolved:** That the application be **APPROVED** subject to the following conditions:-

- (1) - The development to which this permission relates shall be begun not later than three years from the date of this permission.
- (2) - Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
- (3) - Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
- (4) - Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
- (5) - That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.
- (6) - Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
- (7) - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
- (8) - No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The

- approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
- (9) - No development shall take place until a scheme of proposed levels for all proposed structures and hardstanding areas has been submitted to, and approved in writing by the Local Planning Authority, said development being thereafter constructed wholly in accordance with that approval.
  - (10) - The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990, before the written agreement of the Local Planning Authority to a scheme to make provision for the format, detail, and implementation of either an installation of public art or incorporation of artistic elements into the design of Buildings, Open Spaces, or functional elements of the scheme, to a value equal to 1% of the construction cost of the capital project.
  - (11) - No development shall take place until details of the energy efficiency measures to be included within the scheme have been submitted to and approved in writing by the Local Planning Authority. These measures shall be incorporated into the construction of the development and retained thereafter, the measures being in compliance with the BRE Ecohomes, BREEAM, Building for life and Secured by Design guidance and standards, unless otherwise agreed in writing by the Local Planning Authority.
  - (12) - Notwithstanding the information shown on the submitted plans, no development shall be commenced until details of the means of access, including the layout, construction, and sight lines to be provided have been submitted to and approved in writing by the Local Planning Authority, and the building(s) hereby permitted shall be occupied only provided the approved access has been constructed, in accordance with the approved plans and specifications.
  - (13) - The development shall not be initiated by the undertaking of a material operation as defined in section 56(4) (a)-(d) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to section 106 of the said act or appropriate agreement relating to the land has been made and lodged with the Local Planning Authority and is to that Authority's

approval. The said obligation will provide a financial sum, calculated in accordance with the requirements of Appendix 3 of the City of Durham Local Plan, towards local facilities in lieu of the provision of open and play space within the application site or percentage of such offset against partial provision of such on the site.

The Meeting terminated at 5.50 p.m.

Chair



## City of Durham

At a Meeting of the **CABINET** held in the Gala Theatre, Durham, on Monday, 17<sup>th</sup> December, 2007, at 2.30 p.m.

**Present:** Councillor Reynolds (in the Chair)  
and Councillors Bell, Dickie, Jackson, Pitts, Rae, Southwell, Thomson and van Zwanenberg.

**Also Present:** Councillors Bartle, Cowper, Kellett, Marsden, Mitchell, Robinson, Turnbull and Wilkinson.

### 413. DECLARATIONS OF INTEREST

There were no Declarations of Interest submitted.

### 414. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Woods.

### 415. MINUTES

The Minutes of the Meeting held on 3<sup>rd</sup> December, 2007, were confirmed as a correct record and signed by the Chair.

## Portfolio Member Recommendations or Items Requiring a Cabinet Decision

### 416. HOUSING BENEFIT – REVIEW OF LOCALITIES/BROAD RENTAL MARKET AREA BOUNDARIES

The Portfolio Holder for Finance and Director of Financial Services submitted a comprehensive report identifying changes to the locality rent boundary applicable to the City Council, which had been notified by the Department for Work and Pensions and was applicable to all new and existing claimants upon review of their claims after 29<sup>th</sup> October, 2007. The report also identified the implication of this policy change on existing claimants and set out proposals to minimise the financial hardship that may be faced as a result of these changes.

**Resolved:** (i) That the changes in locality rent boundaries and the impact on local reference rents from 29<sup>th</sup> October, 2007, be noted.

(ii) That discretionary housing payments up to the value of the Local Reference Rent applicable prior to 29<sup>th</sup> October, 2007, be made for all existing claimants up until the point in time that the Local Reference Rent exceeds the level applicable prior to the changes introduced on 29<sup>th</sup> October, 2007.

(ii) That the new Local Reference Rent be applied to all new claimants and to existing claimants once the new Local Reference Rent exceeds the levels applicable prior to the changes introduced on 29<sup>th</sup> October, 2007.

(iii) That private sector landlords of existing claimants be informed of the changes and potential impact on their tenants, with a view to influencing any rent increases in 2008/09 whilst the new Local Reference Rents catch up with the levels applicable prior to 29<sup>th</sup> October, 2007.

**417. PARTNERSHIP WORKING TO DELIVER “GO WARM DURHAM CITY”**

The Portfolio Holders for Environment and Communities and the Head of Property Services submitted a comprehensive report on a proposed working partnership between Domestic Energy Solutions and City of Durham Council to deliver a scheme entitled ‘Go Warm Durham City’ in line with the “Affordable Warmth Strategy”.

**Resolved:** (i) That the ‘Go Warm Durham City’ initiative in partnership with DES be approved.

(ii) That the initial pilot period until 31<sup>st</sup> March, 2008 covering 3,500 homes be approved, and following a successful evaluation, the scheme be extended to a further 3,000 homes over the next 2 years.

**418. REVIEW OF THE COUNCIL’S LICENSING POLICY**

The Portfolio Holder for Leisure and Culture and Director of Strategic Services submitted a comprehensive report seeking approval of the proposed revised Statement of Licensing Policy as required under the Licensing Act 2003.

**Resolved:** That the proposed revised Statement of Licensing Policy be approved.

**419. IN PRIVATE**

**Portfolio Member Recommendations or Items Requiring a Cabinet Decision**

**420. LEASE OF FOOTBALL GROUND AT BRANDON WELFARE PARK TO BRANDON UNITED FOOTBALL CLUB**

The Leader of the Council, Director of Strategic Services and Head of Legal and Strategic Services submitted a report to consider leasing the football ground at Brandon Welfare Park to Brandon United Football Club.

**Resolved:** That the disposal of Brandon Welfare Park football ground to Brandon United Football Club by way of a lease on the terms set out in the report be approved.

**Note:** All Officers, with the exception of the Director of Corporate Services and Head of Legal and Strategic Services, withdrew from the Meeting during consideration of the undermentioned item.

**421. EARLY RETIREMENT/VOLUNTARY REDUNDANCY APPLICATION**

The Leader of the Council and the Director of Corporate Services submitted a comprehensive report to consider an application for Early Retirement / Voluntary Redundancy.

**Resolved:** (i) That Mr Spears’ application for Early Retirement/Voluntary Redundancy be approved and that the post of Chief Executive be deleted from the Establishment.

(ii) That the Executive Director be appointed Head of Paid Service with terms and conditions equivalent to that of the retiring Chief Executive.

**Note:** The Leader of the Council expressed, on behalf of Members, thanks to the Chief Executive for his service, and confidence in the Executive Director to take the Council forward in the future.

The Meeting terminated at 2.50 p.m.

Chair



# **MINUTES OF PANELS**

**December, 2007**



**421. MINUTES OF A MEETING OF THE APPEALS PANEL [GRIEVANCE]  
HELD ON 10<sup>th</sup> DECEMBER, 2007, at 4.30 p.m.**

**Present:** Councillor Walker (in the Chair)  
and Councillor Dickie, Jackson and Robinson.

**(1) Apologies for Absence**

Apologies for absence were received from Councillor Wynn.

**(2) Minutes**

The Minutes of the Meeting held on 23<sup>rd</sup> November, 2007, were confirmed as a correct record and signed by the Chairman.

**(3) In Private**

**Resolved:** That pursuant to Section 100.A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting during consideration of the item listed in Column 1 below, being a report of the Officer mentioned in Column 2 below on the grounds that if members of the public were present during discussion of these items there would be disclosure to them of exempt information (as defined in Section 100.I) of the description indicated in Column 3 below.

**Column 1**

To consider an Appeal lodged by an employee of the Council

**Column 2**

Director of Corporate Services

**Column 3**

Information relating to any individual (Para.1)

**Report of the Director of Corporate Services**

**(4) Appeal – City Care Team Leaders**

The Panel considered an appeal lodged by the City Care Team Leaders in relation to a management decision.

A copy of relevant correspondence had been circulated for consideration.

**Resolved:** (i) That, although the Panel have the utmost sympathy with the Appellants, there were no grounds to justify an increase in the night work enhancement beyond that recommended in the National Agreement on Pay and Conditions of Service.

(ii) That the matters raised be taken into account in the Job Evaluation Scheme.

The Meeting terminated at 6.10 p.m.

Chair



**422. MINUTES OF A MEETING OF THE LICENSING PANEL / COMMITTEE  
HELD ON 11<sup>th</sup> DECEMBER, 2007 AT 9.30 a.m.**

**Present:** Councillor Smith (in the Chair)  
and Councillors Kellett, Kinghorn, Lightley, Marsden, Stoddart, Turnbull, Walker and Young.

**(1) Apologies for Absence**

Apologies for absence were received from Councillors Bartle and Wilkinson.

**(2) Minutes**

The Minutes of the Meeting held on 7<sup>th</sup> November 2007, were confirmed as a correct record.

**(3) In Private**

**Resolved:** That pursuant to Section 100.A(4) of the Local Government Act 1972 the public be excluded from the Meeting during consideration of the item listed in Column 1 below, being a report of the Officer mentioned in Column 2 below on the grounds that if members of the public were present during discussion of this item there would be disclosure to them of exempt information (as defined in Section 100.1) of the description indicated in Column 3 below.

**Column 1**

Licence Holder Interviews

**Column 2**

Director of Strategic  
Services

**Column 3**

Information relating to the financial  
or business affairs of any  
particular person (Para. 3)

Information in respect of which a  
claim to legal professional  
privilege could be maintained in  
legal proceedings (Para. 5)

**Report of the Director of Strategic Services**

**(4) Licence Holder Interview**

**Hackney Carriage Driver Licence – Mr P.D. S**

The Driver attended for interview.

**Resolved:** That the hackney carriage driver licence held by Mr P.D. S be revoked.

**(5) Licence Holder Interview**

**Private Hire Driver Licence – Mr D.A. B**

The Driver attended for interview.

**Resolved:** That no further action be taken.

**(6) In Public**

**Resolved:** The following items were considered In Public.

## **(7) Proposal to Licence Tuk Tuks**

A proposal to licence up to two tuk tuks had been received from Mr Gascoigne, who was assisting the Zen Restaurant in Durham with a marketing project.

Further information from Mr Gascoigne on the proposal was circulated.

If the vehicles are to be available for flagging down in the street, they would need to be licensed as hackney carriages. As the number of hackney carriage licences is restricted, the Cabinet would need to consider this matter.

The tuk tuks may be licensed as private hire vehicles (this would be a legal requirement for both of Mr Gascoigne's first two proposed options) but Members would need to consider any additional conditions you wish to attach to the licences.

Mr Gascoigne was in attendance at the meeting as was Mr Green, the Transport/Depot Manager.

**Resolved:** That agreement in principle be given to licence tuk tuks for use as private hire vehicles, subject to the conditions set out in report and subject to the standard condition in respect of advertising being suspended for tuk tuks.

*Note: Councillor Wolstenholme left the meeting at 10.50 a.m.*

## **(8) Review of the Statement of Licensing Policy**

As required by the Licensing Act 2003, the Council published a Statement of Licensing Policy in December 2004. The Policy set out how the licensing authority judged applications for licensing the sale of alcohol, late night refreshment and/or entertainment.

The Act required a licensing authority to prepare and publish a statement of its licensing policy every three years. The first review was due by December 2007 and must have regard to Guidance issued under Section 182 of the Licensing Act 2003 and should include consultation with statutory consultees, and other people and organisations identified as having an interest.

The consultation should be conducted in accordance with the Cabinet Code of Practice on Written Consultation, allowing a minimum of 12 weeks for responses.

Further to the abovementioned consultation and previous consideration of the Policy by Members at the meetings held 6<sup>th</sup> June 2007 and 4<sup>th</sup> July 2007, Members were asked to consider further amendments that had been made in order to produce a more relevant document.

**Resolved:** That the Policy be referred to Cabinet.

## **(9) Gambling Act 2005: Temporary Use Notice Fees**

The Gambling Act 2005 (Temporary Use Notices) Regulations 2007 came into force on 1<sup>st</sup> December 2007.

A temporary use notice allows the use of premises for gambling where there is no premises licence issued under the Gambling Act but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that may be suitable would include hotels, conference centres and sporting venues.

The Government has set a maximum fee of £500 for giving a Notice, and a maximum fee of £25 for the replacement of an endorsed copy of a Notice.

Members were asked to recall that, at a meeting on 25<sup>th</sup> April 2007, a report on Gambling Act premises licence fees was considered, following the Cabinet's decision on 1<sup>st</sup> November 2006 to delegate the responsibility for deciding fees to the Licensing Committee. It was noted, at that that meeting, that Councils may set their own fees at any levels up to statutory maximums but the fees must be based on cost-recovery only. The Act specifically states that local authorities shall "aim to ensure that the income from fees...as nearly as possible equates to the costs of providing the service to which the fees relates".

As it was not known at that meeting how long it would take to process an application, how many representations may be received, and how many hearings or appeals there may be, fees were adopted at the statutory maximum, and it was agreed to review the fees in September 2008, a year after the Act became effective, when the costs incurred are known.

**Resolved:** That the fees be set at the maximum of £500 for a temporary use notice and £25 for the replacement of an endorsed copy of a notice.

The Meeting terminated at 11.00 a.m.

Chair

